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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

SUSAN H. ROSENAU

October 5, 1993

By Hand Delivery

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Washington, D.C. 20554

OUR FILE NO.
0992-102-60

RE: MM Docket No. 93-42, Calistoga, California

Dear Mr. Caton:

On behalf of Moonbeam, Inc., an applicant (File No. BPH-911115MG) for a New FM Station on Channel 265A in Calistoga, California, please find the original and six copies of its Consent Motion for Continuance of Hearing and Procedural Dates in the above-referenced proceeding.

Kindly communicate any questions directly to this office.

Yours very truly,


Susan H. Rosenau

Enclosures (6)

cc: Moonbeam, Inc.
Robert Zauner, Esquire
A. Wray Fitch, Esquire
Administrative Law Judge Edward Luton

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Before The

Federal Communications Commission OCT 5 1993

Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications Of)	Docket No. MM 93-42
MOONBEAM, INC.)	File No. BPH-911115MG
GARY E. WILLSON)	File No. BPH-911115MO
For a Construction Permit for a)	
New FM Station on Channel)	
265A in Calistoga, California)	

To: The Honorable Edward Luton
Administrative Law Judge

**CONSENT MOTION FOR
CONTINUANCE OF HEARING
AND PROCEDURAL DATES**

Moonbeam, Inc. ("Moonbeam"), by its attorneys, respectfully requests that the Presiding Officer continue the second phase of the hearing in the captioned proceeding and certain related procedural dates. In support thereof the following is stated:

1. On July 9, 1993 (FCC 93M-449), the Presiding Officer in this matter released an Order which designated certain financial issues against Moonbeam. By Order released September 16, 1993 (FCC 93M-589), the Presiding Officer set the designated issues for trial to commence October 18, 1993. A further Order released September 29, 1993 (FCC 93M-623) required the parties to exchange exhibits and serve notifications of witnesses to be cross-examined on October 6, 1993, and October 13, 1993, respectively.

2. Moonbeam respectfully requests that the foregoing dates be continued to the following dates:

- (1) Exchange of Exhibits: November 3, 1993
- (2) Notification of Witnesses: November 10, 1993
- (3) Trial: November 15, 1993.

3. Good cause exists for the requested continuance.

Moonbeam and competing applicant Gary E. Willson ("Willson") had postponed depositions on the added issues by agreement, pending the Presiding Officer's decision on certain discovery motions. The parties entered into this understanding to avoid having to schedule multiple depositions based on documents first produced pursuant to subsequent discovery rulings. This agreement was intended to preserve the resources of the parties, both of whom are located in California but have counsel located in Washington, D.C.

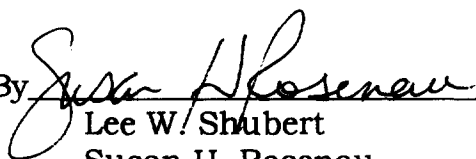
4. No depositions have yet been taken, and various conflicts make it exceedingly difficult for Moonbeam and Willson to schedule, prepare for and conduct such depositions prior to the hearing date. Neither party will have sufficient time to adequately review the deposition transcripts, and the parties will have little or no time remaining in which to prepare for the trial of the issues.

5. No material delay will result from the requested continuance, and no party will be prejudiced thereby. Willson has consented this motion, including the proposed dates set forth herein, and will interpose no objection.

WHEREFORE, the premises considered, Moonbeam respectfully requests that the Presiding Officer continue the hearing in this matter and the dates for exhibit exchange and witness notification as set forth above.

Respectfully submitted,

MOONBEAM, INC.

By 
Lee W. Shubert
Susan H. Rosenau

Its Attorneys

HALEY, BADER & POTTS
Suite 900
4350 North Fairfax Drive
Arlington, VA 22203-1633

703/841-0606

October 5, 1993

CERTIFICATE OF SERVICE

The undersigned, an employee of Haley, Bader & Potts, hereby certifies that the foregoing Consent Motion for Continuance of Hearing and Procedural Dates was mailed this date by First Class U.S. Mail, postage prepaid, or was hand-delivered*, to the following:

A. Wray Fitch, III, Esquire
Gammon & Grange
8280 Greensboro Drive
McLean, VA 22102-3807

Administrative Law Judge Edward Luton *
2000 L Street N.W.
Washington, D.C. 20036

Robert Zauner, Esquire*
Federal Communications Commission
Mass Media Bureau, Hearing Branch
Suite 7212
2025 M Street N.W.
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Dinah L. Hood

October 5, 1993